

AMENDMENT #1(A-1)

## EXHIBIT "C"

JPA 89-160

## LETTER ADDENDUM

A.G. Contract # ~~KR920927TRD~~

In accordance with paragraph 10 of the Agreement, AG #89-1765, Secretary of State #14100 dated August 3, 1989, for the operation and maintenance of traffic signals and/or highway lighting between the STATE OF ARIZONA and the CITY OF TEMPE, it is agreed by both parties that the following intersections be deleted from the existing list of intersections to be operated and maintained as set forth in said Agreement:

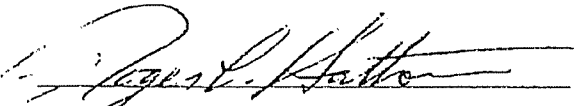
Item #11 - Loop 101 and Baseline Road

Item #12 - Loop 101 and Guadalupe Road

STATE OF ARIZONA

ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

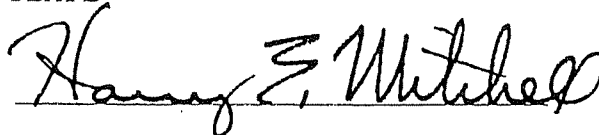
  
State Traffic Engineer

DATE:

April 27, 1992

CITY OF TEMPE

BY:



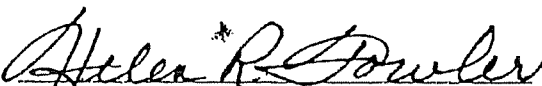
TITLE:

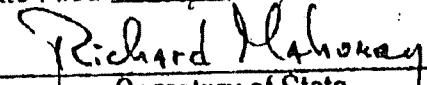
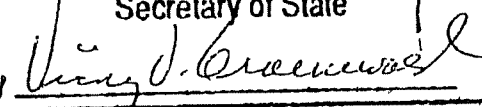
Mayor

DATE:

April 13, 1992

ATTEST:

  
City Clerk

NO. <u>14100</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>05/05/92</u>
 Secretary of State
By 

## EXHIBIT "B"

## APPROVAL OF THE ATTORNEY

I hereby state that I have reviewed the proposed Letter Addendum to the Maintenance Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION, and the CITY OF TEMPE and declare the Addendum to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 10<sup>th</sup> day of April 1992.

CITY OF TEMPE

BY: 

Attorney

## EXHIBIT "A"

**MINUTES**  
**TEMPE CITY COUNCIL MEETING**

**April 9, 1992**

Minutes of a regular City Council Meeting held Thursday, April 9, 1992 at 8:00 P.M. in the City Council Chambers, 31 E. Fifth Street, Tempe, Arizona.

**COUNCIL PRESENT:**

Mayor Harry E. Mitchell  
Vice-Mayor Carol Smith  
Councilman Don Cassano  
Councilman Neil Giuliano  
Councilman Patricia Hatton  
Councilman Frank Plencner  
Councilman Barbara Sherman

**ADMINISTRATIVE STAFF PRESENT:**

City Manager Terry Zerkle  
Dep City Clerk Karen Brittingham  
Dep City Manager Jim Piper  
Economic Dev Dir Jan Schaefer  
Building Safety Dir Dave Scott  
Dep Comm Dev Dir Terry Mullins  
Comm Svcs Dir Ron Pies  
Police Chief Dave Brown  
Trans Planner Mary O'Connor  
Pub Rel Ofcr Nachie Marquez  
Spec Programs Dir Jim Huling  
Asst Mgmnt Svcs Dir Rich Oesterle  
Asst to Pub Wks Dir Judy Greenberg  
Senior Planner Gary Meyer  
Principal Planner Steve Nielsen  
Comm Cultural Prgms Coord Mike Costello

City Clerk Helen Fowler  
City Atty Dave Merkel  
Dep City Manager Gary Brown  
Sr Mgmnt Asst Bill Pederson  
Comm Dev Dir Terry Day  
Dep Director Dave Fackler  
Fire Chief Cliff Jones  
Public Works Dir Jim Jones  
Human Res Dir Shirley Kanode  
Asst to Mayor Randy Gross  
Mgmnt Intern Sheri Moore  
Asst to Council Maryanne Corder  
Trfc Eng Harvey Friedson  
Principal Planner Atis Krigers  
Principal Plnr Fred Brittingham  
Media Svcs Tech Greg Wolfe

**PRESS PRESENT:**

Phil Boas - Tempe Daily News  
Steve Cheseborough - Phoenix Gazette  
Carol Sowers - Arizona Republic  
D. J. Burrough - State Press

**OTHERS PRESENT:**

Council Elect Dennis Cahill

Mayor Mitchell called the meeting to order.

Vice-Mayor Smith gave the invocation.

Tempe City Council Minutes  
April 9, 1992

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minutes identified with an asterisk (\*) or double asterisk (\*\*) were approved with one Council action. Motion to approve by Vice-Mayor Smith. Second by Councilman Cassano. Roll call vote 7-0.

A. MISCELLANEOUS

- \*13. Motion to set Executive Session for April 16, 1992 if needed, in the Third Floor Conference Room, Tempe Municipal Building. Agenda for Executive Session will be posted at least 24 hours prior to such meeting.
- \*\*14. LIQ LIC (0210-02) Held a public hearing and approved an original number 12 restaurant license (37841) for Rocky's Inc. dba Rocky's, 1212 E. Apache Blvd. #106, Tempe, AZ, Dana S. Dutton, Agent.
- \*\*15. LIQ LIC (0210-02) Held a public hearing and approved an original number 12 restaurant license (37934) for Cabana Enterprises dba Taco Cabana, 25 W. University, Tempe, AZ, Douglas W. Plank, Agent.
- \*\*16. LIQ LIC (0210-02) Held a public hearing and approved a special event liquor license (38004) for Friends of Our Little Brothers, 19 W. Alameda Dr. #108, to be held at 2100 S. Priest Dr., Tempe, AZ, April 26, 1992, 2:00 PM - 6:00 PM, Donald R. Liem, Applicant.
- \*\*17. LIQ LIC (0210-02) Held a public hearing and approved a special event liquor license (38007) for Holy Spirit Carnival Committee, 1815 E. Gemini Dr., to be held at 1800 E. Libra Dr., Tempe, AZ, April 25-26, 1992, 10:00 AM - 11:00 PM, David P. Gilb, Applicant.
- \*\*18. LIQ LIC (0210-02) Held a public hearing and approved a person transfer of a number 6 bar license (37961) from Studebaker's Tempe 2607 Inc. dba Studebaker's, Richard E. Chambliss, Agent, to Bogey Golf, Inc. dba Studebaker's, 705 S. Rural Rd. #101, Tempe, AZ, Jeffrey L. Bishop, Agent.
- \*\*19. LIQ LIC (0210-02) Held a public hearing and approved a person transfer of a number 7 beer and wine bar license (37947) from Cannery Row, Thomas C. Welch, Owner, to Cannery Partners II Inc. dba Cannery Row, 705 S. Forest Ave., Tempe, AZ, Thomas C. Welch, Agent.
- \*20. TRAFFIC SIGNAL MAINTENANCE ADMIN (1105-05) Approved Contract #92-53, a letter addendum to an intergovernmental agreement with the Arizona Department of Transportation (ADOT) to delete the operation and maintenance of traffic signals at the intersections of Baseline Road and Price Road and Guadalupe Road and Price Road.
- \*21. PLANNED DEVELOPMENT (0406) Approved a request to withdraw the application for CBS PROPERTIES for an Amended General and Final Plan of Development #SGF-92.08 for Tempe Price Shopping Center

Tempe City Council Minutes  
April 9, 1992

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I, Helen R. Fowler, the duly appointed City Clerk of the City of Tempe, Maricopa County, Arizona, do hereby certify the above to be the minutes of the Regular Council meeting of April 9, 1992 by the Tempe City Council, Tempe, Arizona.

Dated this 22nd day of April, 1992



Helen R. Fowler, CMC  
City Clerk

## MAINTENANCE - TRAFFIC SIGNALS

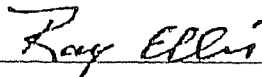
Loop 101 and Baseline Road

Loop 101 and Guadalupe Road

## CITY OF TEMPE

## RESOLUTION

BE IT RESOLVED on this 24th day of March, 1992, that I, CHARLES E. COWAN, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interest of the State of Arizona, that the ARIZONA DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into a Letter Addendum to the Maintenance Intergovernmental Agreement with the CITY OF TEMPE for the operation and maintenance of traffic signals and/or highway lighting. This Letter Addendum deletes two intersections from Maintenance Intergovernmental Agreement AG #89-1765, Secretary of State #14100, filed with the Secretary of State August 3, 1989. Maintenance of these two intersections reverts to the State. THEREFORE, authorization is hereby given to draft said Letter Addendum which, upon completion, shall be submitted for approval and execution by the State Traffic Engineer.



For CHARLES E. COWAN, Director

ARIZONA DEPARTMENT OF TRANSPORTATION



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL  
INTERGOVERNMENTAL AGREEMENT  
1275 WEST WASHINGTON, PHOENIX 85007

GRANT WOODS  
ATTORNEY GENERAL

MAIN PHONE : 542-5025  
TELECOPIER : 542-4085


DETERMINATION

A. G. Contract No. KR92-0927-TRD , an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 30 day of April, 1992.

GRANT WOODS  
Attorney General

  
JOE ACOSTA, JR.  
Assistant Attorney General  
Transportation Section



## ARIZONA DEPARTMENT OF TRANSPORTATION

## HIGHWAYS DIVISION

206 South Seventeenth Avenue - Phoenix, Arizona 85007-3213

May 19, 1992

FIFE SYMINGTON  
GovernorCHARLES E. COWAN  
DirectorGARY K. ROBINSON  
State Engineer

*Handwritten notes:*  
Markline (file) in SK  
Mike Kennel  
Grant Haskin  
Mike Young

Mr. Harvey Friedson, P.E.  
Traffic Engineer  
City of Tempe  
P.O. Box 5002  
31 East Fifth Street  
Tempe, AZ 85280

Re: Letter Addendum to Maintenance Intergovernmental  
Agreement AG #89-1765, Secretary of State #14100  
Between the State of Arizona and the City of  
Tempe

Dear Mr. Friedson:

Transmitted herewith is the Letter Addendum  
which has been fully executed.

You will note the effective filing date is May 5,  
1992.

Very truly yours,

*Handwritten signature of Roger L. Hatton*  
ROGER L. HATTON, P.E.  
State Traffic Engineer

RLH:RM:mz  
Att.

c: Dan Powell (D1)  
Marsha Bloom (204B)  
Sally Al-Hashimi (103P)